

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

ERIC HINES

COMPLAINT

v.

CIVIL ACTION NO. \_\_\_\_\_

GARY M. LANIGAN

MARCUS O. HICKS

WILLIE BONDS

JOHN POWELL

JOHN WU

JOHN DOE #1 D.D.C. HEALTH SERVICE DIR.

SHERITA LATIMORE-COLLIER, MD

JENNIFER FARESTAD

VICTORIA D'AMICO

JILLIAN TANNER

MATTHEW SCHULLERY

THOMAS BERGE

ANTHONY THOMAS

SOUTH WOODS STATE PRISON

NEW JERSEY DEPARTMENT OF CORRECTIONS

UNIVERSITY CORRECTIONAL HEALTH CARE

ANGELA THOMAS

RECEIVED

MAR 24 2020

AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

6. If you cannot prepay the \$400.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$50.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

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MAR 24 2020

QUESTIONS TO BE ANSWERED

AT 8:30                      M  
WILLIAM T. WALSH  
CLERK

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

☒ 42 U.S.C. §1983 (applies to state prisoners)

☐ Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

PLEASE SEE ATTACHED LABEL 1A. JURISDICTION

1b. Indicate whether you are a prisoner or other confined person as follows:

☐ Pretrial detainee

☐ Civilly-committed detainee

☐ Immigration detainee

☒ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

☐ Other: (please explain) \_\_\_\_\_

(1A)

JURIDICITION

THIS COURT HAS JURIDICITION PURSUANT TO 28 U.S.C. §1331 AND §1361 AS A RESULT OF DEFENDANT'S JOINT AND/OR INDIVIDUAL ACTS IN VIOLATION OF PLAINTIFF'S RIGHTS UNDER THE FIRST, EIGHTH, AND FOURTEENTH AMENDMENTS OF THE UNITED STATES CONSTITUTION; TITLE II OF THE AMERICANS WITH DISABILITY ACT (ADA) 42 U.S.C. §12101 ET SEQ. AS MADE APPLICABLE TO THE INDIVIDUAL STATES BY THE FOURTEENTH AMENDMENT OF THE UNITED STATES CONSTITUTION, AND SUPPLEMENTAL STATE LAW CLAIMS PURSUANT TO THE NEW JERSEY CIVIL RIGHTS ACT (NJCRRA); AND PURSUANT TO 42 U.S.C. § 1983, §1984 AND §1986.

## 2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

## a. Parties to previous lawsuit:

Plaintiff(s): \_\_\_\_\_

Defendant(s): \_\_\_\_\_

## b. Court and docket number: \_\_\_\_\_

- c. Grounds for dismissal: ( ) frivolous ( ) malicious  
( ) failure to state a claim upon which relief may be granted

## d. Approximate date of filing lawsuit: \_\_\_\_\_

## e. Approximate date of disposition: \_\_\_\_\_

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement? SOUTH WOODS STATE PRISON

## 4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

a. Name of plaintiff: ERIC HINES

Address: 215 BURLINGTON RD SO. BRIDGETON, NJ 08302

Inmate#: 663508/146993B

b. First defendant:

Name: GARY M. LANIGAN

Official position: NEW JERSEY DEPARTMENT OF COMMISSONER

Place of employment: WHITTLESEY RD, TRENTON, N.J. 08625

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

COMMISSIONER OF THE N.J.D.O.C. WAS THE GOVERNMENTAL OFFICIAL WHO WAS IN CHARGE OF THE OPERATION AND MAINTENANCE OF ALL OF THE NEW JERSEY PRISON INCLUDING PRISON HOUSING OF INMATES WITH DISABILITIES COMPLY WITH ADA.

c. Second defendant:

Name: MARCUS O. HICKS

Official position: N.J. CORRECTIONS COMMISSIONER

Place of employment: WHITTLESEY RD, TRENTON, NJ 08625

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

COMMISSIONER OF THE N.J.D.O.C. WAS THE GOVERNMENTAL OFFICIAL WHO WAS IN CHARGE OF THE OPERATION AND MAINTENANCE OF ALL OF THE NEW JERSEY PRISON INCLUDING PRISON HOUSING OF INMATES WITH DISABILITIES COMPLY WITH ADA.

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

D. THIRD DEFENDANT:

NAME: WILLIE BONDS

OFFICIAL POSITION: ADMINISTRATOR S.W.S.P.

PLACE OF EMPLOYMENT: WHITTLESEY RD. TRENTON, N.J. 08625

RESPONSIBILITY WAS, NOT LIMITED TO, THE OPERATION AND SUPERVISION OF  
THE CORRECTION OFFICERS, CIVILIANS, AND THOSE WHO WERE EMPLOYED  
AT S.W.S.P.

E. FOURTH DEFENDANT:

NAME: JOHN POWELL

OFFICIAL POSITION: ADMINISTRATOR S. W. S. P.

PLACE OF EMPLOYMENT: SOUTH WOODS STATE PRISON, 215 BURLINGTON  
RD SB. BRIDGETON, N.J. 08302

RESPONSIBILITY WAS, NOT LIMITED TO, THE OPERATION AND SUPERVISION OF  
THE CORRECTION OFFICERS, CIVILIANS, AND THOSE WHO WERE EMPLOYED  
AT S.W.S.P.



F. FIFTH DEFENDANT:

NAME: JOHN WU

OFFICIAL POSITION: REGIONAL DIRECTOR MEDICAL

PLACE OF EMPLOYMENT: WHITTLESEY RD, TRENTON, N.J. 08625

HAD DOCUMENTED GERD AS A MEDICAL CONDITION, THEN AS  
REGIONAL DIRECTOR INSTITUTED A NJ DOC POLICY TO DENY  
ALL GERD DIETS, AND ALLERGIC DIET. AS A DOCTOR SHOULD  
HAVE KNOWN ACTION WAS DELIBERATE INDIFFERENCE

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G. SIXTH DEFENDANT:

NAME: SHERITA LATIMORE-COLLIER

OFFICIAL POSITION: DIRECTOR OF MEDICAL S.W.S.P.

MEDICAL DIRECTOR AT S.W.S.P., WHO HAD THE DUTY TO SUPERVISE  
AND OVERSEE ALL MEDICAL TREATMENT THAT WAS GIVEN BY EMPLOY-  
EES OF (UCHC) TO INMATES AT S.W.S.P.

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H. SEVENTH DEFENDANT:

NAME: JOHN DOE #1

OFFICIAL POSITION: D.O.C HEALTH SERVICE DIRECTOR

PLACE OF EMPLOYMENT: WHITTLESEY RD. TRENTON, N.J. 08625

KNOW OR SHOULD HAVE KNOWN, THAT AS HEALTH SERVICE  
DIRECTOR OF DEPARTMENT OF CORRECTIONS TO INSTITUTE OR  
SET A STANDARD FOR ALL NEW JERSEY TO APPLY NJ DOC  
POLICY TO DENY GERD DIETS AND ALLERGIC DIETS TO ALL  
INMATES IS DELIBERATE INDIFFERENCE TO SERIOUS MEDICAL  
NEEDS.

I. EIGHTH DEFENDANT:

NAME: SHERITA LATIMORE-COLLIER

OFFICIAL POSITION: S.W.S.P. MEDICAL DIRECTOR

PLACE OF EMPLOYMENT: 215 BURLINGTON RD SO. BRIDGETON

N.J. 08302

MEDICAL DIRECTOR SWS P



J. NINTH DEFENDANT:

NAME: JENNIFER FARESTAD

OFFICIAL POSITION: S.W.S.P. NURSE PETITIONER

PLACE OF EMPLOYMENT: 215 BURLINGTON RD So. BRIDGETON  
N.J. 08302

ACTION HAS SUBJECTED PLAINTIFF TO CRUEL AND UNUSUAL PUNISHMENT  
CONSTITUTED DELIBERATE INDIFFERENCE, EIGHTH AMENDMENT  
VIOLATION INCLUDING THE AMERICAN WITH DISABILITIES ACT,  
(ADA).

K. TENTH DEFENDANT:

NAME: VICTORIA D'AMICO

OFFICIAL POSITION: S.W.S.P. NURSE PRACTITIONER

PLACE OF EMPLOYMENT: 215 BURLINGTON RD So. BRIDGETON  
N.J. 08302

KNOW OR SHOULD HAVE KNOWN ACTION OF CRUEL AND UNUSUAL  
PUNISHMENT CONSTITUTED DELIBERATE INDIFFERENCE, EIGHTH AMEND-  
MENT VIOLATION, OTHER VIOLATIONS DETAILED IN COMPLAINTS.

L. ELEVENTH DEFENDANT:

NAME: JILLIAN TANNER

OFFICIAL POSITION: S.W.S.P. NUTRITIONIST'S

PLACE OF EMPLOYMENT: 215 BURLINGTON RD SO. BRIDGETON  
N.J. 08302

KNOW OR SHOULD HAVE KNOWN ACTION OF CRUEL AND UNUSUAL  
PUNISHMENT, EIGHTH AMENDMENT AND ADDITION VIOLATION  
DOCUMENTED IN COMPLAINTS.

M. TWELFTH DEFENDANT:

NAME: MATTHEW SCHULLEY

OFFICIAL POSITION: S.W.S.P. MENTAL HEALTH DIRECTOR

PLACE OF EMPLOYMENT: 215 BURLINGTON RD SO. BRIDGETON  
N.J. 08302

KNOW OR SHOULD HAVE KNOWN AS MENTAL HEALTH SUPERVISOR  
/DIRECTOR OF S.W.S.P., HAD THE DUTY TO SUPERVISE AND  
OVERSEE ALL MEDICAL TREATMENT COUPLE WITH OTHER DETAILED  
VIOLATION IN COMPLAINT.

N. THIRTEENTH DEFENDANT:

NAME: THOMAS BERGE

OFFICIAL POSITION: S.W.S.P MH PSYCHIATRIC

PLACE OF EMPLOYMENT: 215 BURLINGTON RD SO. BRIDGETON  
N.J. 08302

KNOW OR SHOULD HAVE KNOWN THAT HIS ACTION AMOUNT TO  
CRUEL AND UNUSUAL PUNISHMENT, DELIBERATE INDIFFERENCE  
TO SERIOUS MEDICAL NEEDS, EIGHTH AMENDMENT VIOLATION.

O. FOURTEENTH DEFENDANT:

NAME: ANGELA THOMAS

OFFICIAL POSITION: S.W.S.P. NURSE PRACTITIONER

PLACE OF EMPLOYMENT: 215 BURLINGTON RD SO. BRIDGETON  
N.J. 08302

KNOW OR SHOULD HAVE KNOWN ACTION OF CRUEL AND UNUSUAL  
PUNISHMENT, DELIBERATE ~~INDIFFERENCE~~ INDIFFERENCE TO  
SERIOUS MEDICAL NEEDS, EIGHTH AMENDMENT VIOLATION.

P. FIFTEENTH DEFENDANT:

NAME: ANTHONY THOMAS

OFFICIAL POSITION: S.W.S.P OMBUDSMAN FOR MEDICAL

PLACE OF EMPLOYMENT: 215 BURLINGTON RD SO. BRIDGETON  
N.J. 08302

KNOW OR SHOULD HAVE KNOWN, AS MEDICAL OMBUDSMAN  
HIS REFUSAL TO ACT OR INTERVENE TO HELP AMOUNT TO CRUEL  
AND UNUSUAL PUNISHMENT, TO DELIBERATE INDIFFERENCE TO  
SERIOUS MEDICAL NEEDS FAILING AT HIS ASSIGNED DUTY.

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Q SIXTEENTH DEFENDANT:

NAME: SOUTH WOODS STATE PRISON

OFFICIAL POSITION: PART OF DEPARTMENT OF CORRECTIONS

PLACE OF EMPLOYMENT: 215 BURLINGTON RD SO. BRIDGETON N.J.  
08302

KNOW OR SHOULD HAVE KNOWN, HAD A DUTY TO SERVICE  
AND PROTECT (ADA) INMATES, TO STOP DELIBERATE  
INDIFFERENCE TO SERIOUS MEDICAL NEEDS AND HELP INMATES  
ASSIGNED TO THEIR CARE

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R. SEVENTEENTH DEFENDANT:

NAME: NEW JERSEY DEPARTMENT OF CORRECTIONS

OFFICIAL POSITION: PRISON'S

PLACE OF EMPLOYMENT: WHITTLESEY RD, TRENTON, NJ, 08625.

HAVE A DUTY TO PROTECT ALL INMATES ASSIGNED TO  
THEIR CARE TO BE SAFE AT ALL TIMES. ADA TO BE TREATED  
FAIRLY, DELIBERATE INDIFFERENCE AND CRUEL AND UNUSUAL  
PUNISHMENT TO BE HANDLED AND BE PERVENTED FROM  
ACCURING BY COMMISSIONER

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S. EIGHTEENTH DEFENDANT:

NAME: UNIVERSITY CORRECTIONAL HEALTH CARE

OFFICIAL POSITION: OPERATES THE MEDICAL FACILITIES AT  
S. W. S. P. OF RUTGERS UNIVERSITY.

WHICH IS A PART OF RUTGERS UNIVERSITY, OPERATES THE  
MEDICAL FACILITIES AT ALL N.J. PRISON INCLUDING S.W.S.P.  
AND ~~THE~~ HAVE RESPONSIBILITIES TO BE ~~BE~~ HELD ACCOUNTABLE FOR  
VIOLATION OF THEIR EMPLOYEES, SUPERVISE, MEDICAL DIRECTOR OR  
ANY ONE UNDER THEIR CONTRACT. WITH THE NEW JERSEY DEPART-  
MENT OF CORRECTIONS.

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5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

☒ Yes ☐ No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

SEVERAL INQUIRIES, REMEDY FORMS, AND GRIEVANCES. FROM S.W.S.P. ADMINISTRATOR, DESIGNER, MH PSYCHIATRIC, MEDICAL DIRECTOR AS WELL AS NURSE PRACTITIONER WERE DOCUMENTS WILL CONFIRM THEY REFUSE TO ACT CAUSING PAIN AND SUFFERING

If your answer is "No," briefly explain why administrative remedies were not exhausted.

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6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

FIRST COUNT

1). PLAINTIFF IS AN INMATE AT SOUTH WOODS STATE PRISON, HEREIN S.W.S.P., WHICH IS LOCATED IN BRIDGETON, NEW JERSEY.

2). DEFENDANT, NEW JERSEY DEPARTMENT OF CORRECTIONS IS

CHARGED WITH THE RESPONSIBILITY TO MAINTAIN ALL OF THE NEW JERSEY STATE PRISONS AND TO MAKE CERTAIN THAT THE PRISON HOUSING UNITS FOR INMATES WITH DISABILITIES COMPLY WITH THE AMERICANS WITH DISABILITY ACT OF 1990 (ADA).

3). AT ALL TIME HEREAFTER MENTIONED, GARY M. LANIGAN WAS THE COMMISSIONER OF THE NEW JERSEY DEPARTMENT OF CORRECTIONS, UP AND UNTIL SEPTEMBER 25, 2018. THIS POSITION WAS ASSUMED BY DEFENDANT MARCUS D. HICKS. AS THE COMMISSIONER, DEFENDANT HICKS ASSUMED THE RESPONSIBILITY WAS, BUT NOT LIMITED TO, THE OPERATION AND MAINTENANCE OF ALL NEW JERSEY STATE PRISONS. BOTH ARE BEING SUED IN THERE OFFICIAL CAPACITY.

4). AT ALL TIME HEREINAFTER MENTIONED, WILLIE BONDS WAS THE ADMINISTRATOR OF S.W.S.P., UP AND UNTIL SEPTEMBER 25, 2018. THIS POSITION WAS ASSUMED BY JOHN POWELL. AS THE ADMINISTRATOR DEFENDANT POWELL'S RESPONSIBILITY WAS, NOT LIMITED TO, THE OPERATION AND SUPERVISION OF THE CORRECTION OFFICERS, CIVILIANS, AND THOSE WHO WERE EMPLOYED AT S.W.S.P.,

5). AT ALL TIME HEREINAFTER MENTIONED, DEFENDANT DR. THOMAS BERGE, APNC, MENTAL HEALTH PSYCHIATRIC, ON APRIL 19, 2018 PROSCRIBED THE MEDICATION "TRAZODONE". ON JUNE 8, 2018 PLAINTIFF NOTICE A SEVERE PAINFUL PRIAPISM "ERECTION". BECAUSE OF DEFENDANT'S FAILURE TO INSTRUCT ME ON PERIPHERAL OR SECONDARY EFFECT OF SAID DRUG PLAINTIFF WAS DUMB FONDLED AND HAD NO IDEA WHAT WAS HAPPENING. ON JUNE 9, 2018, PLAINTIFF NOTIFIED MORNING MEDICATION NURSE, BUT KEPT TAKING MEDICATION UNBEKNOWNING, AND WAS RUSH TO HOSPITAL ON JUNE 11, 2018 DELIBERATE INDIFFERENCE STANDARD APPLIED TO FAILURE



TO INFORM PLAINTIFF OF ADVERSE CONSEQUENCES OF MEDICATION.

6). AT ALL TIME HEREINAFTER MENTIONED, DEFENDANT, UNIVERSITY CORRECTIONAL HEALTH CARE (UCHC), WHICH IS A PART OF RUTGERS UNIVERSITY, OPERATES THE MEDICAL FACILITIES AT SOUTH WOODS STATE PRISON.

7). AT ALL TIMES HEREINAFTER MENTIONED, DEFENDANT, MATTHEW SCHULLERY WAS/IS THE SITE MENTAL HEALTH PSYCHIATRIC DIRECTOR AT SOUTH WOODS STATE PRISON AND WHO HAD THE DUTY TO SUPERVISE AND OVERSEE ALL MEDICAL TREATMENT THAT WAS GIVEN BY EMPLOYEE OF UCHC TO INMATES AT SOUTH WOODS STATE PRISON.

8). AT ALL TIMES HEREINAFTER MENTIONED, DEFENDANT DR. THOMAS BERGE APNC, MENTAL HEALTH PSYCHIATRIC, ACTIONS ON JUNE 8, 2018 OF FAILURE TO INFORM PLAINTIFF OF ADVERSE CONSEQUENCES OF MEDICATION CAUSE PLAINTIFF TO SUFFER IN SEVERE PAIN FROM JUNE 8, 2018 TO JUNE 11, 2018 CAUSING IRREPARABLE HARM TO FUTURE ABILITY FOR KIDS, WHILE FORCING PLAINTIFF TO BE PLACED ON LIFE TIME OF PERMIT PROSCRIBED MEDICATION DO TO DAMAGE.

9). DEFENDANT'S DR. THOMAS BERGE, MATTHEW SCHULLERY, AND UNIVERSITY CORRECTIONAL HEALTH CARE (UCHC) RUTGERS UNIVERSITY CONDUCT SET FORTH HEREIN CONSTITUTED DELIBERATE INDIFFERENCE, AND CRUEL AND UNUSUAL PUNISHMENT IN VIOLATION OF THE EIGHTH AND FOURTEENTH AMENDMENTS UNDER THE UNITED STATES CONSTITUTION, ARTICLE I, PARAGRAPH 12 OF THE NEW JERSEY CONSTITUTION AND VIOLATED THE ADA, BY DISCRIMINATING AGAINST A DISABLED INMATE.

10). DEFENDANT'S GARY LANIGAN, MARCUS O. HICKS, WILLIE BONDS, AND JOHN POWELL ARE RESPONSIBLE FOR, BUT NOT LIMITED TO, SUPERVISING THE CONDUCT OF DEFENDANTS, DR. THOMAS BERGE,

MATTHEW SCHULLERY, AND UNIVERSITY CORRECTIONAL HEALTH CARE (UCHC) RUTGERS UNIVERSITY, AND WAS THEREFORE A PARTY TO VIOLATING PLAINTIFF RIGHT OF CRUEL AND UNUSUAL PUNISHMENT, CONSTITUTED DELIBERATE INDIFFERENCES TO PLAINTIFF'S NEEDS AND VIOLATED PLAINTIFF'S CONSTITUTIONAL RIGHTS UNDER THE EIGHTH AND FOURTEENTH AMENDMENT UNDER THE UNITED STATES CONSTITUTION, ARTICLE I, PARAGRAPH 12 OF THE NEW JERSEY CONSTITUTION, AND WITH THE ADA.

WHEREFORE, PLAINTIFF AND PUNITIVE, AGAINST DEFENDANTS, GARY LANICAN, WILLIE BONDS, DR. THOMAS BERGE, MATTHEW SCHULLERY, UNIVERSITY CORRECTIONAL HEALTH CARE (UCHC) RUTGERS UNIVERSITY. DAMANDS JUDGMENT ON THIS COUNT FOR DAMAGES, COMPENSATORY AND PUNITIVE, AGAINST ABOVE NAME DEFENDANTS TOGETHER WITH INTEREST, COST ATTORNEY'S FEE.

## SECOND COUNT

1). PLAINTIFF REPEATS THE ALLEGATIONS OF PARAGRAPH 1, 2, 3, AND 4 OF THE FIRST COUNT AS IF SET FORTH HEREIN AT LENGTH AND MAKES THEM A PART HEREOF.

2). AT ALL TIMES HEREIN AFTER MENTIONED, DEFENDANT'S JENNIFER FARESTAD, AND ANGELA THOMAS WERE THE NURSE PRACTITIONER AT SOUTH WOODS STATE PRISON.

3). ON 2/8/2018, TRANSPORTED TO ST. FRANCIS HOSPITAL, FOR NEUROLOGICAL CT-SCAN TECHNICIAN WAS QUESTION ABOUT SPINAL CORD DAMAGE. SHE STATED, CT-SCAN CONCERNS SPOT ON YOUR

LUNGS TALK TO PROVIDER. PLAINTIFF SUBMITTED A REQUEST ON OR ABOUT 2/18/2018 QUESTION PROVIDER WITHHOLDING OF "SERIOUS MEDICAL CONDITIONS. JENNIFER FARESTAD, AND ANGELA THOMAS CAME FOR CONSULT, BOTH STATED, IF LIFE THREATENING WE WOULD HAVE.

4). ON MARCH 31, 2018, PLAINTIFF RECEIVED MEDICAL RECORDS CONFIRMING PROVIDERS KNOWLEDGE SINCE 2015, OF "SERIOUS MEDICAL CONDITIONS" SPOT ON LUNGS, UPPER BLOCKAGE ABDOMEN, AND BRIAN SCAN CONFIRMING WHITE MATTER. THE UPPER BLOCKAGE ABDOMEN, AND BRIAN WHITE AS OF THIS DAY REFUSE TO ACKNOWLEDGE OR TREAT.

5). AT ALL TIME HEREINAFTER MENTIONED, DEFENDANT, UNIVERSITY CORRECTIONAL HEALTH CARE (UCHC), WHICH IS A PART OF RUTGERS UNIVERSITY, OPERATES THE MEDICAL FACILITIES AT SOUTH WOODS STATE PRISON.

6). AT ALL TIMES HEREIN AFTER MENTIONED, DEFENDANT, DR. SHERITA LATIMORE-COLLIER WAS/IS THE SITE MEDICAL DIRECTOR AT SOUTH WOODS STATE PRISON AND WHO HAD THE DUTY TO SUPERVISE AND OVERSEE ALL MEDICAL TREATMENT THAT WAS GIVEN BY EMPLOYEES OF UCHC TO INMATES AT SOUTH WOODS STATE PRISON.

7). AT ALL TIMES HEREINAFTER MENTIONED, DEFENDANTS (UCHC), GRACE AMISTICO, SHARMALIE PEREA, DR. LATIMORE-COLLIER, STACY WILLIAM-HALL, JENNIFER FARESTAD, ANGELA THOMAS, ANTHONY THOMAS, LINDA LINEN, AND NUMEROUS OTHERS. HAVE ANSWERED ONE OR MORE OF THE GRIEVANCES CONCERNING THIS MATTER, OR DOCUMENTS CONFIRMS MEDICAL PROVIDERS KNOWLEDGE, THEY HAVE ALL FAILED TO ASSIST, INTERVENE, OR CORRECT THE UNCONSTITUTIONAL BEHAVIOR OF DEFENDENTS JENNIFER FARESTAD, AND ANGELA THOMAS.

8). AT ALL TIMES HEREINAFTER MENTIONED, DEFENDANTS (UCHC), GARY LANIGAN, NEW JERSEY DEPARTMENT OF CORRECTIONS, WILLIE BONDS, SOUTH WOODS STATE PRISON, DR. LATIMORE-COLLIER, GRACE AMISTICO, SHARMALIE PEREA, STACY WILLIAM-HALL, JENNIFER FARESTAD, ANGELA THOMAS, ANTHONY THOMAS, LINDA LINEN, AND NUMEROUS OTHERS. HAVE SUBJECTED PLAINTIFF TO CRUEL AND UNUSUAL PUNISHMENT, WHICH CONSTITUTED DELIBERATE INDIFFERENCE TO PLAINTIFF'S SERIOUS MEDICAL NEEDS, AND VIOLATED PLAINTIFF'S CONSTITUTIONAL RIGHTS UNDER THE EIGHTH AMENDMENT OF THE UNITED STATES CONSTITUTION, AND ARTICLE I, PARAGRAPH 12 OF THE NEW JERSEY CONSTITUTION, AS WELL AS THE AMERICANS WITH DISABILITY ACT.

WHEREFORE, PLAINTIFF DEMANDS JUDGMENT ON THIS COUNT FOR DAMAGES, COMPENSATORY AND PUNITIVE, AGAINST DEFENDANTS UCHC, GARY LANIGAN, NEW JERSEY DEPARTMENT OF CORRECTIONS, WILLIE BONDS, SOUTH WOODS STATE PRISON, DR. LATIMORE-COLLIER, JENNIFER FARESTAD, ANGELA THOMAS, ANTHONY THOMAS, TOGETHER WITH INTEREST, COSTS, AND ATTORNEY'S FEES.

### THIRD COUNT

1). PLAINTIFF REPEATS THE ALLEGATIONS OF PARAGRAPH 1, 2, 3, AND 4 OF THE FIRST COUNT AS IF SET FORTH HEREIN AT LENGTH AND MAKES THEM A PART HEREOF.

2). AT ALL TIMES HEREINAFTER MENTIONED, DEFENDANTS VICTORIA D'AMICO WAS A NURSE PRACTITIONER AT S.W.S.P.

3). ON MAY 29, 2018, PLAINTIFF SUBMITTED A REQUEST TO HAVE A MEDICAL DIET IMPOSED DO TO SEVERE GERD, SEVERE STOMACH PAINS, PERSISTENT VOMITING AFTER CONSUMING CERTAIN MEALS.

4). ON SEPTEMBER 25, 2019, EVEN THOUGH LAB TEST: LIPIDS



9/15/2019: TC 224, LDL 161 - DIET d/w PT, A1C 9/15/2019: 5.8 - DIET d/w PT, MS. D'AMICO, MEDICAL REMEDY DIET AND EXERCISE, ALONG WITH MEDICATION COMPLIANCE. PT. HAS BEEN SEEN BY NUTRITIONIST IN REGARDS TO DIET. ORDERED HEALTHY HEART "STANDARD" AND SHOULD AVOID USING SAUCE AND OTHER ITEMS THAT WORSEN REFUX. SAUCE AND MEALS IN QUESTION ARE SERVED 6 TO 7 TIMES A WEEK, MS. VICTORIA D'AMICO ALSO STATE NJDOC POLICY IS NOT TO APPROVE GERD DIET, OR ALLERGIC DIET.

5). DEFENDANT JILLIAN TANNER ON AUGUST 19, 2019 WHO IS DIETITIAN AT S.W.S.P THOUGH MEDICAL DOCUMENTS INFORMED PLAINTIFF, REFERENCE: "ADVISED TO AVOID FOODS CONSIDERED IRRITANTS, DOCUMENT FOODS AS NEEDED AND SUBSTITUTE WITH COMMISSARY. NJDOC POLICY IN WHICH REGULAR HEART HEALTHY DIET IS ADEQUATE FOR GI DISORDERS. TOLERATE AND ACCEPT REGULAR HEALTHY HEART DIET AS ORDERED. BY UNDISPUTED FACTS I AM ENTITLED TO THREE MEALS A DAY WITHOUT HAVING TO BECOME SICK.

6). AT ALL TIMES HEREINAFTER MENTIONED, DEFENDANT, UNIVERSITY CORRECTIONAL HEALTH CARE (UCHC), WHICH IS A PART OF RUTGERS UNIVERSITY, OPERATES THE MEDICAL FACILITIES AT SOUTH WOODS STATE PRISON.

7). AT ALL TIMES HEREINAFTER MENTIONED, DEFENDANT, DR. LATIMORE-COLLIER WAS/IS THE SITE MEDICAL DIRECTOR AT SOUTH WOODS STATE PRISON AND WHO HAD THE DUTY TO SUPERVISE AND OVERSEE ALL MEDICAL TREATMENT THAT WAS GIVEN BY EMPLOYEES OF UCHC TO INMATES AT SOUTH WOODS STATE PRISON.

8). AT ALL TIMES HEREINAFTER MENTIONED, DEFENDANTS WILLIE BONDS, JOHN POWELL, VICTORIA D'AMICO, JILLIAN TANNER, ANTHONY THOMAS, HAVE ANSWERED OR AT THERE ~~WOM~~ WISES BY THE DESIGNEE HAVE ANDERED ONE OR MORE OF THE GRIEVANCES CONCERNING THIS MATTER. THEY HAVE ALL FAILED TO ASSIST, INTERVENE,

OR CORRECT THE UNCONSTITUTIONAL BEHAVIOR OF VICTORIA D'AMICO, OR JILLIAN TANNER.

9). AT ALL TIMES HEREINAFTER MENTIONED, DEFENDANTS GARY LANIGAN, MARCUS O. HICKS, WILLIE BONDS, JOHN POWELL, JOHN WU, JOHN DOE#1 DIRECTOR OF HEALTH SERVICE DOC., THAT PER THE ABOVE NAME INDIVIDUALS HAD INSTITUTED BY NJDOC POLICY TO DENY ALL GERD DIET, OR ALLERGIC DIET TO INMATE THIS WAS CONFIRMED BY VICTORIA D'AMICO, JILLIAN TANNER, AND DR. LATIMORE-COLLIER.

10). AT ALL TIMES HEREINAFTER MENTIONED, DEFENDANTS (UCHC), GARY LANIGAN, MARCUS O. HICKS, NEW JERSEY DEPARTMENT OF CORRECTIONS, WILLIE BONDS, JOHN POWELL, JOHN WU, JOHN DOE#1, DR. LATIMORE-COLLIER, VICTORIA D'AMICO, JILLIAN TANNER, ANTHONY THOMAS, HAVE SUBJECTED PLAINTIFF TO CRUEL AND UNUSUAL PUNISHMENT, WHICH CONSTITUTED DELIBERATE INDIFFERENCE TO PLAINTIFF'S SERIOUS MEDICAL NEEDS, AND VIOLATED PLAINTIFF'S CONSTITUTIONAL RIGHTS UNDER THE EIGHTH AMENDMENT OF THE UNITED STATES CONSTITUTION, AND ARTICLE I, PARAGRAPH 12 OF THE NEW JERSEY CONSTITUTION, AS WELL AS THE AMERICANS WITH DISABILITY ACT.

WHEREFORE, PLAINTIFF DEMANDS JUDGMENT ON THIS COUNT FOR DAMAGES, COMPENSATORY AND PUNITIVE, AGAINST DEFENDANTS (UCHC), GARY LANIGAN, MARCUS O. HICKS, NEW JERSEY DEPARTMENT OF CORRECTIONS, WILLIE BONDS, JOHN POWELL, JOHN DOE#1, DR. LATIMORE-COLLIER, VICTORIA D'AMICO, JILLIAN TANNER, ANTHONY THOMAS, TOGETHER WITH INTEREST, COSTS, AND ATTORNEY'S FEES.

Eric Hines

ERIC HINES PRO SE

DATE: MARCH 6, 2020

DEMAND FOR JURY TRIAL

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8. Do you request a jury or non-jury trial? (Check only one)

☒ Jury Trial ( ) Non-Jury Trial

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 6 day of March, 2020.

Er. Han

Signature of plaintiff\*

(\*EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF. REMEMBER, EACH PLAINTIFF MUST SIGN THE COMPLAINT).